

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:06CR31

RIVERS DICKERSON

DEFENDANT

ORDER

This cause is before the Court on a Motion to Continue Scheduling Order [13] and Motion to Continue Trial [14] by defendant Dickerson. The Court, having reviewed the motions and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for May 1, 2006. Defense counsel represents in the motion that she has a conflict due to a prior existing trial setting. Rule 16.3 of the Uniform Local Rules provides: “When the Court has set a case for trial . . . which conflicts with a court appearance of counsel in other courts, the first case having a firm setting shall control” The Court is also advised that the government does not oppose the requested continuance.

These circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from May 1, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given defense counsel’s conflicting prior trial setting in another court, a continuance is required under the Local Rules and in order to ensure the availability of defense counsel at the trial of this cause. Therefore, the Court finds that the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion to Continue Scheduling Order [13] and Motion to Continue Trial [14] are GRANTED;
2. That the trial of this matter is continued until Monday, July 3, 2006 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from May 1, 2006 until July 3, 2006 is excluded as set out above;
4. That the deadline for filing pretrial motions is June 12, 2006;
5. That the deadline for submitting a plea agreement is June 19, 2006.

SO ORDERED, this the 25th day of April, 2006.

W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE